

# United States District Court

## Violation Notice

CVB Location Code

OS60

Violation Number  
F08T0010Officer Name  
MercerOfficer No.  
2522

F08T0010

**YOU ARE CHARGED WITH THE FOLLOWING VIOLATION**Date and Time of Offense (mm/dd/yyyy)  
07/23/2023 17:48Offense Charged  
FED 36 CFR 261.6APlace of Offense  
13750 COAL RUN RDOffense Description: Factual Basis for Charge  
CUT TWO MATURE TREES FOR TIMBER SALE.HAZMAT ☐**DEFENDANT INFORMATION**

Phone:

Last Name  
FRAZEEFirst Name  
JOHNM.I.  
E

Street Address

City

State

Zip Code

Date of Birth (mm/dd/yyyy)

Drivers License No.

CDL ☐

D.L. State

Social Security No.

☐ Adult ☐ JuvenileSex ☐ M ☐ F

Race

Hair

Eyes

Height

Weight

**VEHICLE**

VIN:

CMV ☐

Tag No.

State

Year

Make/Model

PASS

Color

A ☐ IF BOX A IS CHECKED, YOU  
MUST APPEAR IN COURT.

SEE INSTRUCTIONS (opposite).

B ☒ IF BOX B IS CHECKED, YOU MUST  
PAY AMOUNT INDICATED BELOW  
OR APPEAR IN COURT.

SEE INSTRUCTIONS (opposite).

\$ 400.00 Forfeiture Amount

\$ 30.00 Processing Fee

PAY THIS AMOUNT

\$ 430.00 Total Collateral Due

**YOUR COURT DATE**

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address

Date (mm/dd/yyyy)

Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature

Previous edition is obsolete

Original - CVB Copy

FS-5300-4 (7/05)

F08T0010

## STATEMENT OF PROBABLE CAUSE

(For issuance of an arrest warrant or summons)

I state that on 07/23/2023 while exercising my duties as a law enforcement officer in the Southern District of OH

Pursuant to 16USC 551:

On June 15, 2023, while exercising my duties as Law Enforcement Officer, I (U.S. Forest Service Law Enforcement Officer Lamar Mercer #2522) was on uniformed patrol in a marked police vehicle, within the boundaries of the Wayne National Forest, Athens Ranger District, Athens County, in the Southern District of Ohio.

I received an anonymous tip concerning John E. FRAZEE (DOB: 09/19/1969) illegally cutting timber on the Wayne Nation Forest. On June 22, 2023 I observed numerous trees had been illegally cut on Forest Service lands, adjacent to FRAZEE's property located at 13726 Coal Run Rd. On or about June 23, 2023 two mature trees were cut and removed from the area. Drag marks from the logs led to FRAZEE's driveway and the cutting site was approximately 100 yards from his residence. The illegal cutting and removal of timber resulted in heavy damage to the area vegetation and soil.

While interviewing FRAZEE he denied any involvement or knowledge of the illegal timber cutting or removal, but stated he would "take responsibility" for it. FRAZEE also denied recently selling timber.

A witness stated they observed FRAZEE on June 23, 2023, working in the area of the illegal timber cutting and that he was removing things from the Forest.

A sales invoice from Sawmiller LLC shows FRAZEE sold 1.17 tons of timber on June 23, 2023.

FRAZEE's statements to me concerning his involvement and knowledge regarding the illegal timber cutting, removal, and sale, were determined to be fraudulent due to witness testimony, and the June 23, 2023, timber sale transaction at Sawmiller LLC.

On July 23, 2023 FRAZEE was issued violation notices for 36 CFR 261.6a cutting timber,

The foregoing statement is based upon:

## MY PERSONAL INVESTIGATION

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on:

07/23/2023

Date (mm/dd/yyyy)

Lamar Mercer

Officer's Signature

☐ Probable cause has been stated for the issuance of a warrant.

Executed on:

Date (mm/dd/yyyy)

U.S. Magistrate Judge

HAZMAT = Hazardous material involved in incident;

PASS = 9 or more passenger vehicle;

CDL = Commercial drivers license;

CMV = Commercial vehicle involved in incident